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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION  
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Arizona Corporation Commission

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IN THE MATTER OF QWEST  
CORPORATION'S PETITION FOR  
ARBITRATION AND APPROVAL OF  
AMENDMENT TO INTERCONNECTION  
AGREEMENT WITH ARIZONA  
DIALTONE, INC. PURSUANT TO  
SECTION 252(B) OF THE  
COMMUNICATIONS ACT OF 1934, AS  
AMENDED BY THE  
TELECOMMUNICATIONS ACT OF 1996  
AND APPLICABLE STATE LAWS

DOCKET NO. T-01051B-07-0693

DOCKET NO. T-03608A-07-0693

ARIZONA DIALTONE, INC.'S  
STATEMENT OF POSITION  
REGARDING FURTHER  
PROCEEDINGS

Pursuant to the Procedural Order issued by the Arizona Corporation Commission (the "Commission") dated August 29, 2008, Respondent, Arizona Dialtone, Inc. ("AZDT"), hereby provides its Statement of Position Regarding Further Proceedings in Docket Nos. T-01051B-07-0694 (the "Arbitration Matter") and T-03608A-07-0694 (the "Complaint Matter").

In Decision No. 70460 issued on August 6, 2008, the Commission resolved the disputed issues regarding the terms of an amendment to the parties' Interconnection Agreement, as required by the Triennial Review Remand Order (TRRO) (hereinafter, the "TRRO Amendment"). The disputed issues included whether Qwest Corporation ("Qwest") had the right to backbill AZDT additional amounts for previously provided switching services, and if so, at what rates. The Commission resolved the backbilling issues by ruling that Qwest is entitled to backbill AZDT at the so-called "plus \$1 rate" from March 11, 2005 to March 10, 2006, and at Qwest's resale rate

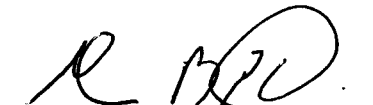
1 from March 11, 2006 to the date of execution of the TRRO Amendment. The August 6, 2008  
2 Decision, however, did not quantify the backbilling amounts Qwest is entitled to collect from  
3 AZDT. That quantification must occur in the Complaint proceeding.

4 Accordingly, it is the position of AZDT that following this Commission's approval of the  
5 form of TRRO Amendment Qwest submitted on behalf of the parties on September 5, 2008,  
6 Qwest should be required to submit in the Complaint Matter a calculation of the dollar amount of  
7 backbillings to which it claims entitlement pursuant to the August 6, 2008 Decision. AZDT can  
8 then file a response indicating either that it agrees with Qwest's calculations of the backbillings, or  
9 specifying the reasons why AZDT disagrees with Qwest's calculations. At that point, Staff also  
10 can provide its position with respect to Qwest's backbilling calculations. Thereafter, the  
11 Commission can enter an order in the Complaint Matter regarding the dollar amount of  
12 backbillings to which Qwest is entitled, thereby terminating these administrative proceedings.

13 **RESPECTFULLY SUBMITTED** this 12th day of September, 2008.

14 **CHEIFETZ IANNITELLI MARCOLINI, P.C.**

15  
16 By



Claudio E. Iannitelli, Esq.  
Glenn B. Hotchkiss, Esq.  
Matthew A. Klopp, Esq.  
Attorneys for Arizona Dialtone, Inc.

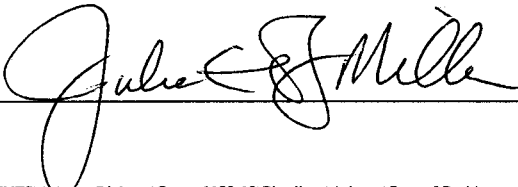
1 ORIGINAL and 10 copies of the foregoing  
hand-delivered this 12 day of September, 2008, to:

2 Docket Control  
3 ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
4 Phoenix, Arizona 85007

5 COPY of the foregoing mailed  
this 12 day of September, 2008, to:

6 Norman G. Curtright, Esq.  
7 Qwest Corporation  
20 East Thomas Road, 16<sup>th</sup> Floor  
8 Phoenix, Arizona 85012

9 Maureen A. Scott, Esq.  
10 Legal Division  
ARIZONA CORPORATION COMMISSION  
11 1200 West Washington  
Phoenix, Arizona 85007

12  
13 By:   
14

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